



Austin City Council MINUTES

REGULAR MEETING
THURSDAY, APRIL 3, 1997

Mayor Todd called the meeting to order, noting the presence of all Councilmembers.

1. Approval of Minutes for Regular Meetings of March 26 & 27, 1997.
Postponed to April 10, 1997.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Spencer Nutting, to discuss Gay 101.
Absent
3. Mr. Gus Pena, to discuss affordable low income housing, City Council priorities, and youth issues (funding for summer job programs).
4. Ms. Jennifer Gale, to discuss the need for community involvement in regards to city and regional planning.
Absent
5. Mr. Mike Workman, to remind the Council that library computers still cannot use the following phrases and individual words: porn, ducks, Church Tucker, public it, got its, ship is slow and John Henry Faulk.
Absent
6. Robert Singleton, to discuss why the city and the moderate environmental community have never supported listing the Barton Springs Salamander as endangered.
Absent

READING OF CONSENT AGENDA

READING OF DISCUSSION AGENDA

CITIZEN COMMUNICATIONS: CONSENT AGENDA

ACTION ON CONSENT AGENDA

ITEMS CONTINUED FROM PREVIOUS MEETINGS

7. Approve third reading of an ordinance to authorize negotiation and approval of a wholesale wastewater contract between Davenport Ranch Municipal Utility District No. 1 and the City of Austin, and approve an amendment to the Consent Amendment to authorize this wastewater service. (Mayor Bruce Todd and Councilmember Jackie Goodman)

Ordinance No. 970403-M approved, on Councilmember Goodman's motion, Mayor Todd's second, 4-3 vote, Mayor Pro Tem Garcia, Councilmembers Griffith and Slusher voting "NO".

Resolution on annexation policy offered with ordinance by Councilmember Goodman, severed by Councilmember Reynolds. Resolution approved, with friendly amendment by Mayor Pro Tem Garcia to study tying annexation to service extension, Councilmember Griffith's second, 6-1 vote, Councilmember Griffith voting "NO".

Health and Human Services

8. Approve an ordinance authorizing acceptance of \$27,183 in additional grant funds from the Texas Department of Health for the Tuberculosis Elimination Program; amend Ordinance 960910-G, the 1996-97 operating budget, amending the Special Revenue Fund by appropriating an additional \$27,183 in grant funds for the Health and Human Services Department Special Revenue fund, for a total grant amount of \$203,271. (A City match is not required.)

Ordinance No. 970403-A approved

9. Approve a resolution authorizing negotiation and execution of Amendment #2 to the Professional Services Agreement with LAURIE SMITH DESIGN ASSOCIATES AND UPCHURCH ARCHITECTS, INC., a Joint Venture (WBE/FR), Austin, Texas, to provide architectural services including design and construction for the relocation of the Dental Clinic from the first floor Rebekah Baines Johnson Main Building to the Rebekah Baines Johnson Annex Building, increasing the authorization in the estimated amount of \$37,062, for a total authorization amount of \$253,862. (Funding was included in the 1996-97 Amended Capital budget of the Health and Human Services Department.) 77% WBE Prime participation. No M/WBE Subconsulting opportunities were identified.

Approved

Parks and Recreation

10. Approve a resolution authorizing selection of four landscape architectural firms: WINTEROWD ASSOCIATES LANDSCAPE ARCHITECTURE, (WBE/FR); LARSON/BURNS, INC., Austin, Texas,; THE BROUSSARD GROUP, Austin, Texas; and CARTER AND BURGESS, INC., Austin, Texas, for a landscape architectural services rotation list to provide consultant, landscape architectural services for a period of two years or until available funding is expended, in an amount not to exceed \$240,000. (Funding in the amount of \$50,000 was included in the 1995-96 Capital budget of the Parks and Recreation Department; \$190,000 was included in the 1996-97 Capital budget of the Parks and Recreation Department.) Best qualification statements of six. Percentages of M/WBE Subcontracting participation cannot be determined at this time because the actual scope of work is unknown.

Approved

11. Set a public hearing to approve a 0.074 acre permanent public utility use of dedicated parkland known as Walsh Boat Landing for the construction of the Tarrytown Wastewater Rehabilitation project in accordance with Section 26.001 et seq. of the Texas Parks and Wildlife Code. (Suggested date and time: May 1, 1997 at 6:00 P.M.)
Approved
12. Amend Ordinance No. 960910-G, the 1996-97 Operating Budget of the Softball Enterprise Fund of the Parks and Recreation Department, by increasing the beginning balance by \$89,500, increasing operating expenditures by \$74,743 to fund maintenance improvements at Monroe "Lefty" B. Krieg Fields and increasing the budgeted ending balance by \$14,747.
(Related to Item 13)
Ordinance No. 970403-B approved
13. Approve a resolution authorizing execution of a construction contract with AARON CONCRETE CONTRACTORS, INC., (MBE/MH), Austin, Texas, for the Krieg Field Service Road Improvements, in the amount of \$132,895. (Funding in the amount of \$58,152.50 is available in the 1996-97 Capital Budget of Parks and Recreation Department; \$74,742.50 is included in the 1996-97 Amended Operating Budget of the Softball Enterprise Fund of the Parks and Recreation Department.) Low bid of ten (10). Prime MBE Participation: 90.85%; 9.15% WBE, 0% MBE Subcontractor participation. (Related to Item 12)
Approved

Public Works

14. Approve an ordinance amending the Austin City Code by modifying the Basic Traffic Ordinance, Sections 16-4-5 (A)-(E) to modify existing speed limits on F.M. 2222 (Northland Drive, Allandale Road, West and East Koenig Lane) and adding Section 16-4-5 (G) to establish a 60 mph speed limit on F.M. 2222 (from west City Limits to east of Jester Boulevard.) [No fiscal impact.]
Ordinance No. 970403-C approved
15. Amend Ordinance 960910-G, the 1996-97 operating budget, by increasing budgeted revenue and expenditures in the amount of \$43,125 for the Public Works and Transportation Special Revenue Fund, for the installation of street name signs at new intersections within the Austin City limits, as part of the 911 Addressing Grant from the Capital Area Planning Council (CAPCO) through Travis County. (Funding is available from the Capital Area Planning Council/911 Addressing funding. City match in the amount of \$14,375 was included in the 1996-97 operating budget of the Public Works and Transportation Department.)
Ordinance No. 970403-D approved

Drainage Utility

16. Approve a resolution authorizing selection of four professional engineering firms: RAYMOND CHAN AND ASSOCIATES, INC., (MBE/MA), Austin, Texas; LOOMIS AND MOORE, INC., Austin, Texas; R. J. BRANDES COMPANY, Austin, Texas; ESPEY, PADDEN CONSULTANTS, INC., Austin, Texas, for negotiation and execution of contracts to provide

general stormwater management engineering rotation list services for a variety of water quality, erosion control, flood control and related projects for an undetermined period, in the amount of \$1,000,000. (Funding is available in the Drainage Utility and General Obligation bond accounts. Other accounts will be used depending on location and nature of the project.) Best qualification statements of seventeen. Raymond Chan and Associates, Inc.: 78.8% MBE Prime participation. 3.0% MBE, 18.2% WBE Subconsultant participation. Loomis and Moore, Inc.: 30.0% MBE, 25.0% WBE Subconsultant participation. R. J. Brandes Company: 8.6% MBE, 18.2% WBE Subconsultant participation. Espey, Padden Consultants, Inc.: 15.0% MBE, 20.0% WBE Subconsultant participation.

Approved

Police

17. Approve a resolution authorizing execution of a contract with PERMIAN AUTO, Crane, Texas, for the purchase of one mobile neighborhood police center vehicle to be used primarily in Community Development Block Grant (CDBG) neighborhoods, in the amount of \$102,909. (Funding in the amount of \$100,000 was included in the 1996-97 operating budget, Special Revenue Fund of the Neighborhood Housing and Community Development Office (21st Year Community Development Block Grant-Public Safety/Crime Prevention) and \$2,909 is available in the 1996-97 operating budget of the Austin Police Department.) Low bid of six meeting specifications. No M/WBE Subcontracting opportunities were identified.

Approved

Fire

18. Approve a resolution authorizing negotiation and execution of an amendment to the contract between Maconda Park Joint Venture and the City of Austin for purchase of a Joint EMS/Fire Station, to delete the construction phase, reducing the contract by \$1,581,580, for an amended contract of \$622,000. (Project funded by 1995-96 Capital Budget of the Fire Department.)

Approved

Finance and Administrative Services

19. Approve a resolution authorizing execution of a twelve month service agreement with NATIONAL LINEN SERVICE, Austin, Texas, to provide rental and cleaning services of uniforms for City personnel, in an amount not to exceed \$61,292.40 with two twelve month extension options in an amount not to exceed \$61,292.40 per extension, for a total contract amount not to exceed \$183,877.20. (Funding in the amount of \$30,646.20 was included in the 1996-97 Fleet Maintenance Fund of the Fleet Services Division. Funding for the remainder of the contract and the extension options is contingent upon available funding in future budgets.) Low bid of two. No M/WBE Subcontracting opportunities were identified.

Approved

Cable and Regulatory Affairs

20. Approve third reading of an ordinance amending the term of the existing telecommunications service franchise with American Communications Services, Inc. (\$5,000 in Franchise Fee Revenue was included in the 1996-97 Approved Budget.) [Recommended by Telecommunications Commission]
Ordinance No. 970403-E approved
21. Approve third reading of an ordinance amending the term of the existing telecommunications service franchise with GST LIGHTWAVE, INC. (No fiscal impact.) [Recommended by Telecommunications Commission]
Ordinance No. 970403-F approved
22. Approve third reading of an ordinance amending the term of the existing telecommunications service franchise with Central and South West Communications, Inc. (CSWC) and approve request by Central and South West Communications, Inc. (CSWC) to transfer its franchise to CSW/ICG ChoiceComm, L.P. (No fiscal impact.) [Recommended by Telecommunications Commission]
Ordinance No. 970403-G approved
23. Approve third reading of an ordinance amending the term of the existing telecommunications service franchise with MCI Metro Access Transmission Services, Inc. (\$5,000 in Franchise Fee Revenue was included in the 1996-97 Approved Budget.) [Recommended by Telecommunications Commission]
Ordinance No. 970403-H approved
24. Approve third reading of an ordinance amending the term of the existing telecommunications service franchise with Metro Access Networks, Inc. (\$5,000 in Franchise Fee Revenue was included in the 1996-97 Approved Budget.) [Recommended by Telecommunications Commission]
Ordinance No. 970403-I approved
25. Approve third reading of an ordinance granting a telecommunications services franchise to Time Warner Communications. (\$20,000 in Franchise Fee Revenue was included in the 1996-97 Approved Budget.) [Recommended by Telecommunications Commission]
Ordinance No. 970403-J approved
26. Approve third reading of an ordinance granting a telecommunications services franchise to Southerwestern Bell Telephone Company (SWBT). (\$2.143 million in Franchise Fee Revenue was included in the 1996-97 Approved Budget.) [Recommended by Telecommunications Commission]
Ordinance No. 970403-K approved

Items 8 through 26 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.

ITEMS FROM COUNCIL

27. Amend Council rules to revise times for executive sessions, clarify sign-up periods for public comment, and make other scheduling refinements. (Councilmembers Daryl Slusher and Jackie Goodman)

Ordinance No. 970403-L, approved with Amendment by Councilmember Slusher to move executive session to 12:00 p.m. Thursday at Council Chambers, to delete lunch on Wednesday and to begin both Wednesday's Worksession and Thursday's Council meeting at 1:30 p.m., Mayor Pro Tem Garcia's second, 7-0 vote.

Sections 1-3 and 6-7 were deleted from the ordinance as presented and postponed to the next meeting.

CITIZEN COMMUNICATIONS - NEIGHBORHOOD FORUM

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held at 7:00 p.m. to 7:45 p.m. on item #31.

The City Council will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda. The City Council may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

Pending Litigation - Section 551.071

28. Discuss Gail P. Freeman v. The City of Austin and Leonard Mann, III, Cause No. 94-08218, in the 250th District Court of Travis County, Texas.
29. Discuss W.W. Deerfield Ltd. v. City of Austin, Cause No. 96-13413, Travis County District Court.
30. Discuss City of Austin v. Southwest Travis County Water District, CA 96-13123, Travis County District Court.

Land Acquisition - Section 551.072

31. Discuss real property acquisition/sale/lease of land at Robert Mueller Municipal Airport and Austin-Bergstrom International Airport with the State of Texas, State Pooling Board, and the Texas Army National Guard.

ACTION ON EXECUTIVE SESSION ITEMS

32. Consider settlement proposal in Gail P. Freeman v. The City of Austin and Leonard Mann, III, Cause No. 94-08218, in the 250th District Court of Travis County, Texas.
No action taken

ADDENDUM
APRIL 4, 1997

33. Approve a resolution authorizing support for a neighborhood transportation planning initiative for the Barton Springs Road -Lamar Boulevard Corridor. (Councilmember Beverly Griffith)
Approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.
34. Approve a resolution directing Time Warner Communications to construct INet drops at Threadgills on North Lamar Boulevard. (Councilmember Jackie Goodman)
Pulled from agenda indefinitely

Action on Executive Session Items

35. Set a public hearing for citizen input on the terms and conditions in the proposal for the State Pooling Board and National Guard to relocate to ABIA from RMMA. (Suggested date and time April 10, 1997 at 7:30 PM)
Approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.

ADJOURNED at 9:15 p.m.

Approved on this the 24th day of April, 1997 on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 7-0 vote.